

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:)
)
TERRORIST ATTACKS ON) Civil Action No. 03 MDL 1570 (GBD)(SN)
SEPTEMBER 11, 2001) ECF Case
)

**Memorandum of Points & Authorities in Support of Motion of Martin F. McMahon &
Associates to Withdraw as Counsel for Defendant Dallah Avco**

Martin F. McMahon provides this memorandum of points and authorities and his attached Affidavit to support his motion to allow him and his firm to withdraw as counsel for Defendant Dallah Avco in the above-captioned matter pursuant to Southern District of New York Local Civil Rule 1.4.

Local Rule 1.4 provides that “an attorney who has appeared as attorney of record for a party may be relieved . . . by order of the Court Such an order may be granted only upon a showing by affidavit or otherwise of satisfactory reasons for withdrawal” Rule 1.16(c)(1) of the New York State Rules of Professional Conduct contemplates potential withdrawal of counsel where “withdrawal can be accomplished without material adverse effect on the interests of the client”. Rule 1.16(c)(10) allows for withdrawal when “the client knowingly and freely assents to termination of employment”.

In compliance with Local Rule 1.4, Attorney McMahon has filed an affidavit discussing he and his firm’s withdrawal. In regard to Rule 1.16(c)(1), he and his firm’s withdrawal will have no material adverse effect on the interests of the client, as the law firm of MoloLamken LLP will continue to represent it and its interests. Lastly, in regard to Rule 1.16(c)(10), as attested to in his affidavit, Attorney McMahon has spoken with representatives for Dallah Avco, who consented to his and his firm’s withdrawal.

For all of the foregoing reasons, as well as those stated in the accompanying Motion to Withdraw and Affidavit, Attorney McMahon and his law firm respectfully request that their Motion to Withdraw be granted.

Respectfully submitted,

/s Martin McMahon

Martin F. McMahon, Esq.
Martin F. McMahon & Associates, PLLC
1717 K Street, N.W., Suite 900
Washington, D.C. 20006
(202) 862 - 4343